

PUBLIC NOTICE

**US Army Corps
of Engineers®**

APPLICATION FOR PERMIT

Public Notice/Application No.: 2003-00807-CJL

Comment Period: December 22, 2003 through January 22, 2004

Applicant

John Harper
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AGENT

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Location

In eight unnamed washes tributary to Moenkopi Wash located at (Section 28, T32N, R11E), Tuba City, Coconino County, Arizona.

Activity

The Arizona Department of Transportation is planning a roadway widening, realignment, and drainage improvement project on US 160 and SR 264. The project limits are between milepost (MP) 319.61 and MP 322.29 on US 160, and between MP 322.02 and MP 322.84 on SR 264. The project will result in permanent impacts to eight jurisdictional washes. For more information, see page 3 of this notice and attached drawings.

Interested parties are hereby notified that an application has been received for a Department of the Army permit for the activity described herein and shown on the attached drawing(s). Interested parties are invited to provide their views on the proposed work, which will become a part of the record and will be considered in the decision. This permit application will be issued or denied under Section 404 of the Clean Water Act (33 U.S.C. 1344).

Comments can be e-mailed to dana.lowsiany@usace.army.mil or mailed to:

**U. S. Army Corps of Engineers
ATTENTION: Regulatory Branch (2003-00807-CJL)
3636 North Central Avenue, Suite 900
Phoenix, Arizona 85012-1939**

Evaluation Factors

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for

both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof. Factors that will be considered include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people. In addition, if the proposal would discharge dredged or fill material, the evaluation of the activity will include application of the EPA Guidelines (40 CFR 230) as required by Section 404 (b)(1) of the Clean Water Act.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Preliminary Review of Selected Factors

EIS Determination- A preliminary determination has been made that an environmental impact statement is not required for the proposed work.

Water Quality- The applicant will be required to obtain water quality certification, under Section 401 of the Clean Water Act, from the Arizona Department of Environmental Quality and/or the U.S. Environmental Protection Agency. For any proposed activity on Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the U.S. Environmental Protection Agency. For any proposed activity on land other than Tribal land that is subject to Section 404 jurisdiction, the applicant will be required to obtain water quality certification from the Arizona Department of Environmental Quality. Section 401 of the Clean Water Act requires that any applicant for an individual Section 404 permit provide proof of water quality certification to the Corps of Engineers.

Cultural Resources- The latest version of the National Register of Historic Places has been consulted and this site is not listed. This review constitutes the extent of cultural resources investigations by the District Engineer, and he is otherwise unaware of the presence of such resources.

Endangered Species- Preliminary determinations indicate that the proposed activity would not affect federally-listed endangered or threatened species, or their critical habitat. Therefore, formal consultation under Section 7 of the Endangered Species Act does not appear to be required at this time.

Public Hearing- Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearing shall state with particularity the reasons for holding a public hearing.

Proposed Activity for Which a Permit is Required

A total of approximately 0.71 acres of waters of the United States will be permanently filled by this project. This includes 0.11 acres of wetlands and 0.60 acres of impacts to ephemeral washes due to the replacement and extension of existing culverts to accommodate roadway widening and the correction of drainage deficiencies.

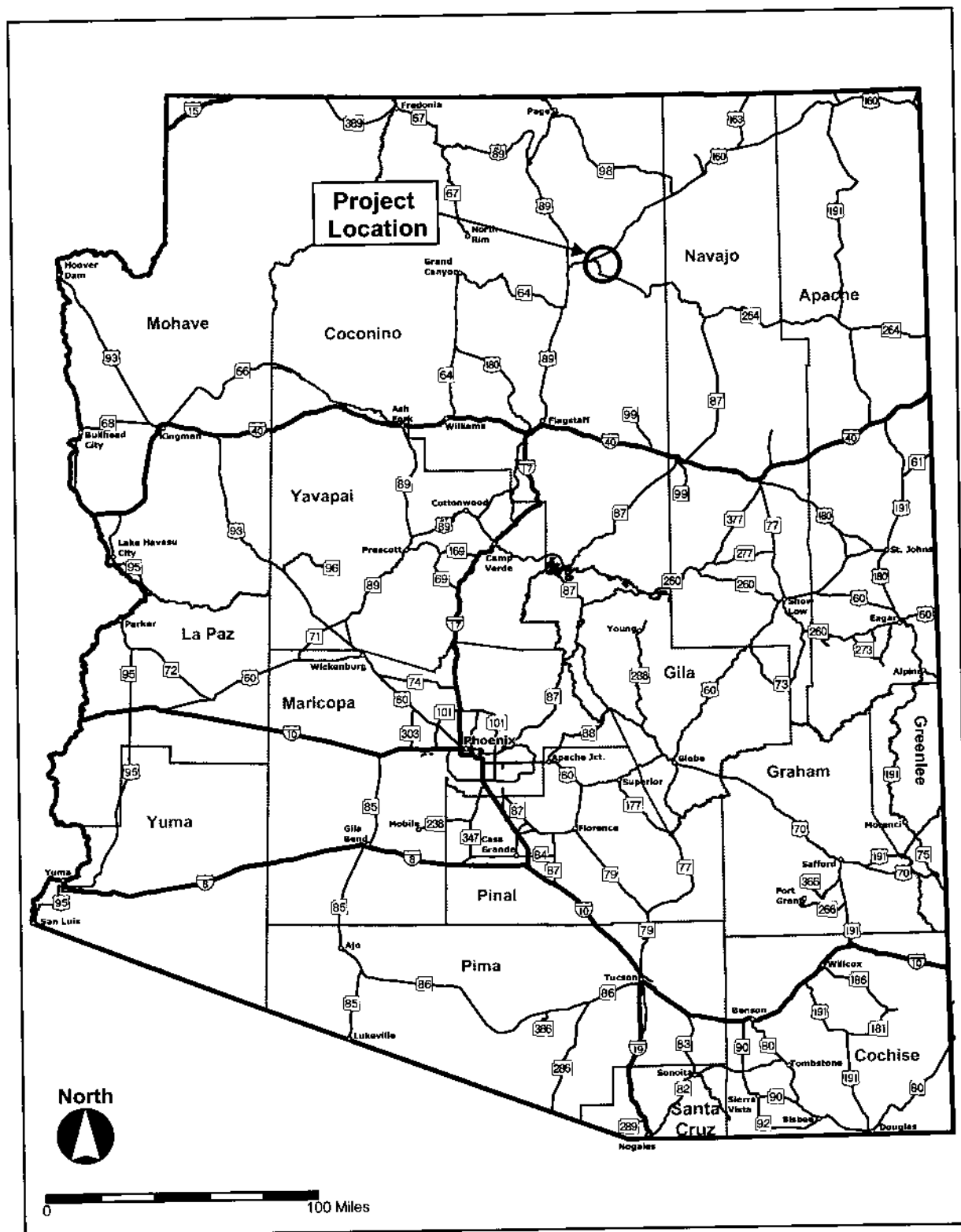
Additional Project Information

The project is located on US 160 and SR 264, approximately 70 miles north of the City of Flagstaff, within the Hopi and Navajo Nations. Adjacent land uses include farming, commercial facilities, grazing and residences. The basic purpose of the project is to improve a transportation facility that includes providing continuous left turn lanes on US 160 and SR 264. Heavy congestion due to new development and tourism in the project area has led to the need for continuous left turn lanes in order to provide access to the adjacent residential and commercial properties. Inadequate roadway drainage has also contributed to pavement and sub-base failure on US 160.

Proposed Special Conditions

To be developed.

For additional information please call Dana Owsiany, P.E. at (602) 640-5385 x 254. This public notice is issued by the Chief, Regulatory Branch.



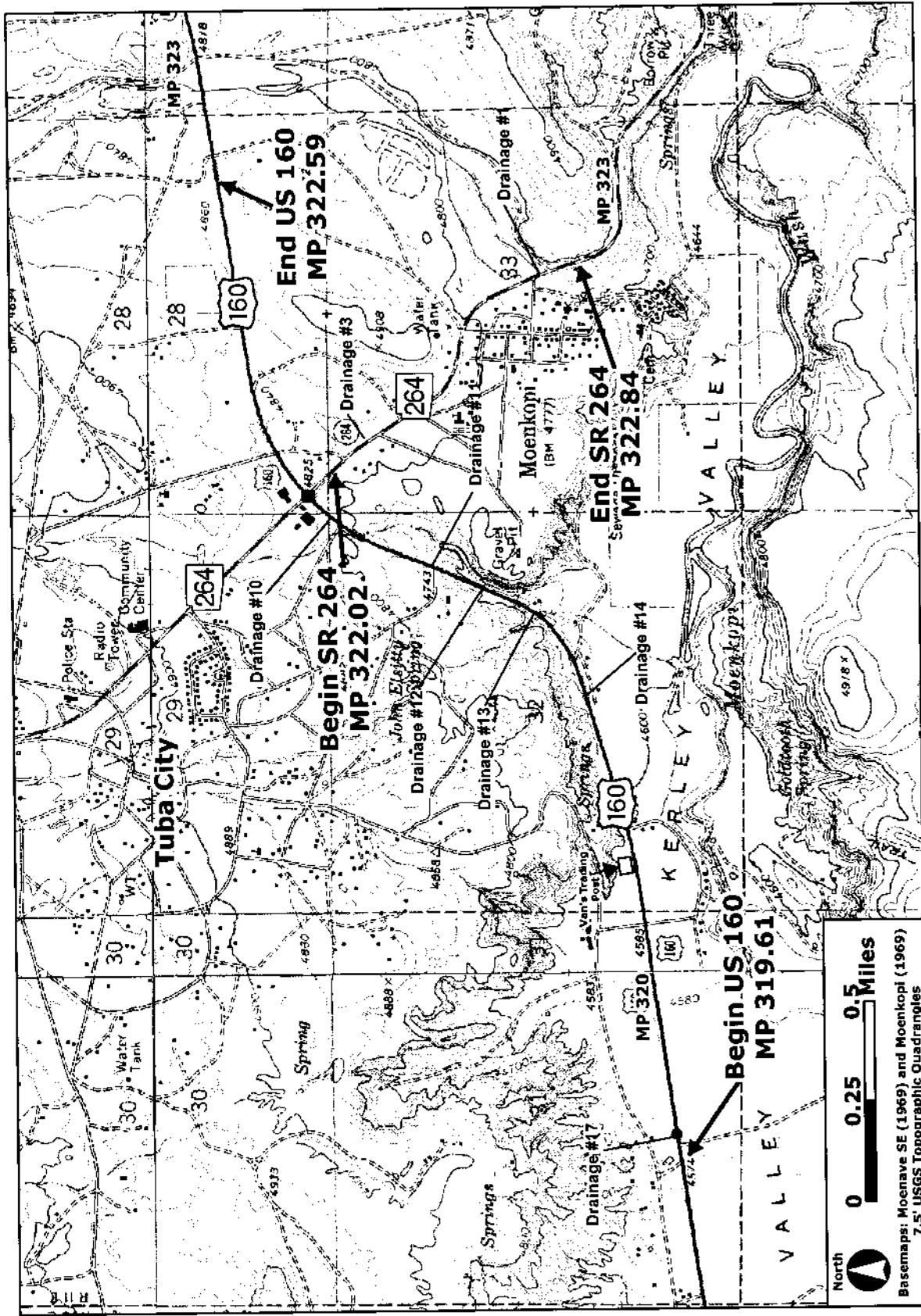
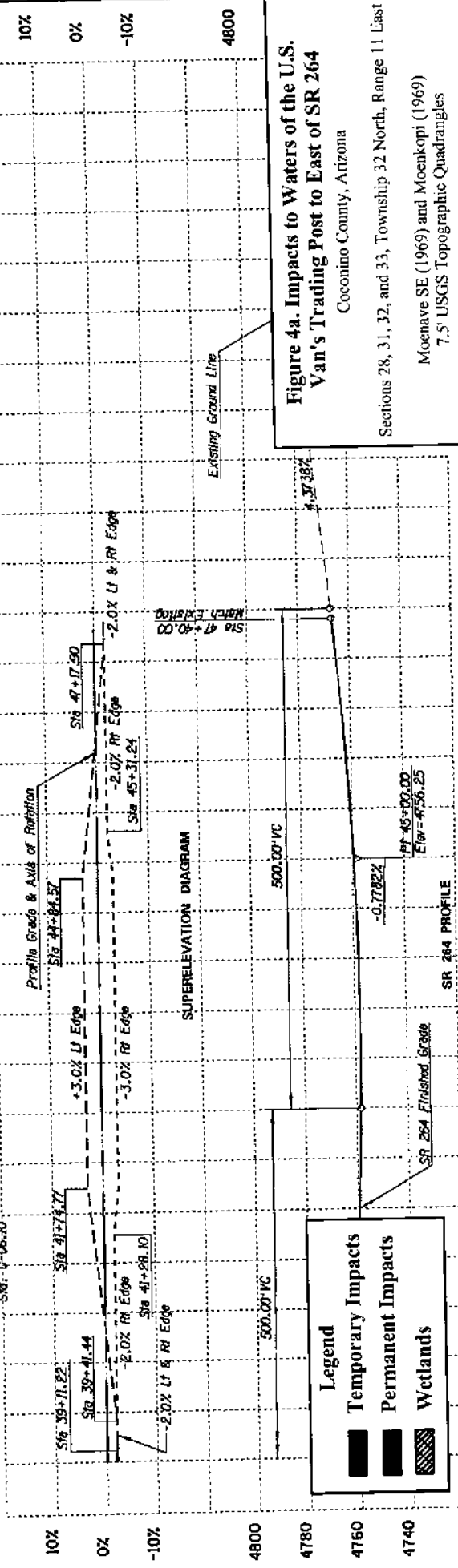
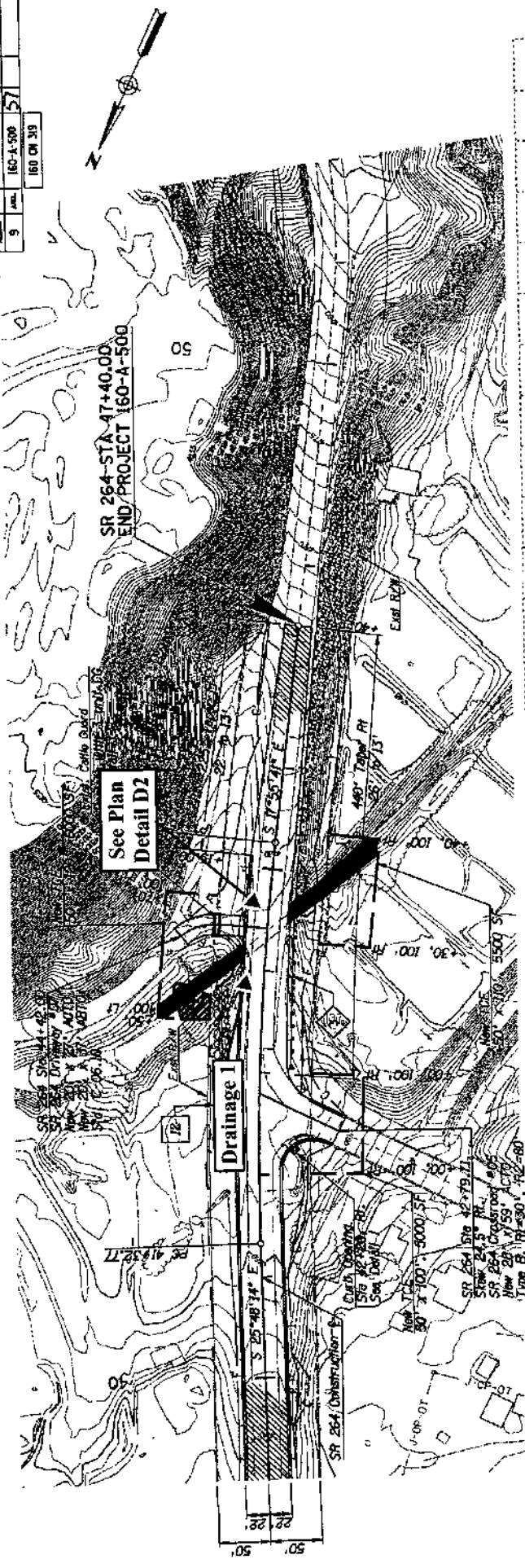


Figure 2. Project Vicinity, Van's Trading Post to East of SR 264, Coconino County, Arizona. TRACS No. 160 CN 320 H4601 01C, Project No. U-160-A-500.

DATE	BY	PROJECT NO.	PROJECT NAME	AS BUILT
9		160-A-500	160-A-500	
5		160 CN 39		



**Figure 4a. Impacts to Waters of the U.S.
Van's Trading Post to East of SR 264**

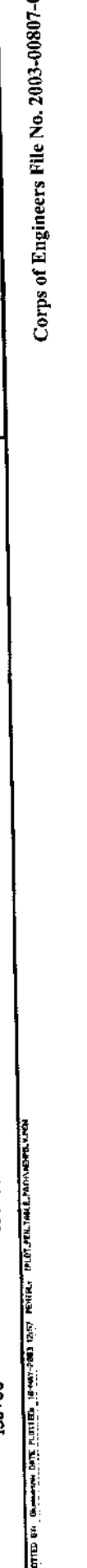
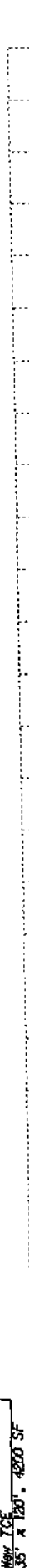
Cocconino County, Arizona

Sections 28, 31, 32, and 33, Township 32 North, Range 11 East

Moenave SE (1969) and Moenkopi (1969)
7.5' USGS Topographic Quadrangles

TRACS No. 160 CN 320 H4601 01C, Project No. U-160-A-500

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Coconino County, Arizona

TRACS No. 160 CN 320 H4601 01C, Project No. U-160-A-500

